

*Next Meeting – January 28, 2008 – 1:30 PM  
Appoquinimink State Service Center, Middletown*

**STATE COUNCIL FOR PERSONS WITH DISABILITIES  
FULL COUNCIL MEETING MINUTES**

October 15, 2007 – 1:30 PM  
Appoquinimink State Service Center  
Middletown, Delaware

**MEMBERS PRESENT**

Daniese McMullin-Powell, Chair; Rita Landgraf, Vice Chair; John Goodier, BIC; Brian Hartman, DLP/DDC; Bonnie Hitch/DTC; Tony Hortsman, Parent; Janet Leitch, Consumer; Pat Maichle, DDC; Bob Osgood, Past Chair; Loretta Sarro, DODHH&CODHHE; Liz Schantz, Consumer; Randal Wimberley, DSCYF/CMH; Kyle Hodges, Staff and Linda Bates, Support Staff

**MEMBERS ABSENT**

Cookie Austin, Parent; Brian Bard, Consumer; Regina Byers, GCAAPD; Norwood Coleman, Sr., Consumer; Lisa Furber, State Rehabilitation Council; Brian Hartman, DLP/DDC; Connie Hughes, DelARF; Christine Long, DDDS/DHSS; Dan Muterspaw, AAB; Carolanne O'Brien, DOL/DVR; Ann Phillips, Parent; Dennis Rubino, DHSS/DPH; Sandy Tuttle, Easter Seals and Wendy Strauss, GACEC

**GUESTS**

Helen Arthur, DHSS/Division of Public Health

**INTERPRETER**

Lois Steele

**CALL TO ORDER**

Daniese McMullin-Powell called the meeting to order at 1:40 pm.

**ADDITIONS DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**APPROVAL OF MINUTES**

Motion was made, seconded and approved to accept the May 21, 2007 meeting minutes as submitted. However, there was not a quorum.

## **DPH Dental Health Program/Oral Health Coalition**

Helen Arthur gave out a brochure entitled “An Overview of Dental Public Health Programs” which gives details on the various grants. Helen also provided a power point with the following information:

- There are eight dental clinics in the service centers throughout the state.
- CDC recommends the following activities in “Building Oral Health Infrastructure”:
  - Activity 1: Leadership Capacity
  - Activity 2: Oral Disease Burden Document
  - Activity 3; State Oral Health Plan
  - Activity 4: Statewide Oral Health Coalition
  - Activity 5: Oral Disease Surveillance System
  - Activity 6: Policy and Health Systems Strategies
  - Activity 7: Partnership Development
  - Activity 8: Evaluation of Oral Health Programs
  - Activity 9: Community Water Fluoridation Program
  - Activity 10: School-based/school-linked Dental Sealant Program

DPH has been very successful in DE meeting the above activities.

- The Foundation Grant (State Oral Health Collaborative Systems Grant) was received in year 2003. This grant set the ground work that has been established over the last several years. The big purpose of this grant was to create a school-based sealant program. This grant targets certain schools based on their free and reduced lunch numbers for children in the second grade. In 2003, it was started with only four schools; however, last year, 30 schools were targeted and this year the goal is to target 40 schools. Dentists do the screening for free and a seasonal staff (dental hygienist and general assistants) will apply the sealants on eligible children. Those children who are not eligible for the sealants for urgent care services will get referrals into the community for free from five dentists. Also under this grant, a summit was held to bring a lot of key stakeholders together to strategize on what the needs and priorities are in the State. This grant played a big role in the development of the Coalition.
- The newest Grant is the Targeted State MCH Oral Health Service Systems Grant (TOHSS). There were 50 applicants for this grant, and Delaware was one of twenty to receive this grant. This grant is more streamlined and will build the infrastructure in DE. With this grant comes two full-time merit positions which actually integrate oral health services in all aspects of Maternal and Health Child programs and any existing programs in the State. The whole goal is to promote oral health awareness and to integrate the message that oral health is a part of total health.
- The Workforce Grant is the Oral Health Workforce Activities Grant (OHWA). The purpose is to acquire a mobile dental van. The process has started and the van should be acquired by next year.

- The Oral Health Awareness campaign has a “Healthy Smile, Healthy You!” logo with a message that was an effort between DPH and the Oral Health Coalition.
- The Implementation Strategies slide presents ideas and ways to get the message of promoting oral health in Delaware.
- The Delaware Oral Health Coalition (DOHC) slide presents the Mission Statement and the Vision Statement. The Coalition came about from the Foundation Grant. Through Strategic Planning sessions, key people identified themselves as wanting to be members of the 2006 Coalition. These people are the interim board for the Coalition. They are now in the process of establishing and formalizing by-laws.
- The Top 12 DOHC Priorities slide shows priorities that were voted on and are subject to change. Helen will forward this slide to Kyle since the print is so small.
- Contact Information is as follows: Greg McClure, DMD, MPH—Email: [GregMcClure@state.de.us](mailto:GregMcClure@state.de.us) or Helen Arthur, RDH, BSDH—Email: [Helen.Arthur@state.de.us](mailto:Helen.Arthur@state.de.us). Office Phone: 302-741-2960.

Brian asked when you issue a RFP for the mobile van, will the request include accessibility features such as a wheelchair lift. Helen replied “yes, that is part of their specifications”. Brian inquired about the CHIP program which had the dental program added. Helen replied that, at this time, it was open to their clients, but no stats are available. Bob asked about the dental benefits for people with mental retardation. Helen said that Public Health includes children up to the age of 21 which includes children with special health care needs. Helen also said that the Coalition is going to play a major role in increasing access to care and spreading the resources out into the community. The mobile van will be operational year round. Other programs may use this van and provide their own resources. A program coordinator will facilitate the need. Helen said that there are no Medicaid adult dental services, so it would have to be a legislative issue. Helen will send the information to Kyle on the Coalition to share with the SCPD. Pat Maichle sent out an e-mail for people to get more involved in the Coalition. Helen will send Kyle a resource page on names and phone numbers of different federally qualified health centers in the State that provide a sliding fee scale. Pat commented that the Coalition Board has slots for people with disabilities. Kyle will take any information to the Health Care Committee and the fact of needing over 21 adult dental needs for persons with disabilities. Pat commented that persons with disabilities need accommodations in the regular community—not segregated inclusion. Rita added that there is an organization called Practice without Pressure that is supportive so people are not fearful when they go for dental work.

The next Coalition meeting is November 2 from 2 to 4 pm at the Haslet Armory in Dover. Kyle said that someone from SCPD will try to attend. Brian suggested that at the Life Conference on January 24, Public Health may want to become an exhibitor—contact Gina Perez for information.

### **November SPCD Luncheon/Custie Award**

Kyle passed out a flyer for the November 15 SPCD luncheon to be held from 12 noon to 3 pm at the Dover Sheraton. We have received confirmations from DHSS' Division Directors' Renata Henry, Harry Hill and Marianne Smith to speak about their current programs and future plans. Guy Perrotti from DSAAPD will not be able to attend; however, he would attend any other meeting to discuss DSAAPDs issues. Kyle will offer that he may send a representative to speak about issues such as the ABI waiver update, attendant services, etc.

If you plan on attending the luncheon, and have not RSVP'd, please do so to Linda by October 19 or at the break in today's meeting. It was agreed to invite all the legislators to the luncheon via e-mail.

This year's "Custie" award nominees' are Yolanda Jenkins, Doyle Dobbins and Kathy McCool (ballot is in today's hand-outs). Please give your vote to Linda at break. We will forward a ballot to all council members not in attendance today.

### **DTC Update**

Bonnie Hitch gave the following update.

In Kent County the transfers between buses (in-county) were eliminated in June. Since then, there been a financial savings in the mileage context. Another trip has been added between Smyrna and New Castle County. The Paratransit runs out of Smyrna are now at 6, 7, 9, and 11 am and 1, 3, 4 and 5:30 pm—and a one later run is being considered.

Bonnie also gave an update on the no-show policy. They worked with the EDTAC on a revised no-show policy. The FTA has taken a very strong view point on no-show policies and how they are developed and Delaware went by the FTA no-show policy. During their review of the no-show policy, they thought that Delaware's was one of the better ones that they had seen. The no-show policy was monitored in January of 2007 and was to be implemented in July. During January, 395 customers fell into the no-show pattern—6,971 trips were booked and 1,912 trips were not taken. Upon making calls to the no-show customers from January to June, it was found that a lot of parents did not know that the agency (e.g. Easter Seals) does not cancel the paratransit trips. After the customer no-show educational process was implemented in July, an 8% decrease occurred and a 13% decrease in the number of trips that did not get taken. If the paratransit bus is 30 minutes or more late, it is not a "no show". Right now the problem is that 100 customers fall into this pattern; however, they are not responsible for their trips since their caregivers or other agencies are responsible for making their trip reservations. No one at this time has lost services or been suspended; but they have been given first warnings. We will continue to work on this process and the numbers are coming down on a regular basis. A main concern is for customers that want to get off at a different destination than originally booked, Bonnie asked the Council for help with deciding if a policy needs to be established and that the policy is open for discussion.

Brian suggested contacting other states to find out about a sample solution/policy. Bonnie replied that she currently serves on a National Committee for Accessibility Issues to develop standards regarding this issue. Bonnie will let the Council know the final outcome and send Kyle a copy.

Bonnie added that there is an increase in “Late” cancellations that have a 90 minute window. At this time, they are looking at additional reservations and a new software program. Also, volunteers will be needed in November for unscripted testing. There is a voice mail system for cancellations. Currently you can book a trip on line and obtain a confirmation e-mail.

### **Governor’s Commission Update; Discharge Planning Committee; Family Support Waiver Coalition**

Rita gave an update on the hand-out of the Governor’s Commission report that was released in July at the press release.

At this time, the sub-committees are continuing engaging the work of the Governor’s Commission so as to implement the strategic plan. Please visit the website on a regular basis to see the updates of any successes or as they move around the timeline to better respond to what is happening in the present. The dental care report of today is part of the work of the Commission to better work with that coalition. That is under Goal 5. On Page 11, Goal 7, Objective D.—Rita note that the discharge planning committee is looking at developing exemplary practices for discharge planning. This committee (workgroup) has met four times and they have identified and evaluated some current discharge protocols, but they are really trying to bring in best practice. The committee is supporting the best practices which are through the US Dept of Health and Human Services, but is also “tweeking” it to meet Delaware’s needs. Right now the template is in draft form and they are close to the end; and by the end of this month when they meet, they hope to be able to adopt this as a workgroup and then circulate back to the Governor’s Commission to be adopted, as well as the Delaware Interagency Council on Homelessness (DICH). The document will be circulated in the public and private sectors for discharge planning. Legislation may have to be established. There is representation from the hospitals, Christiana Care, and DPC. Kyle recommended informing Rep. Wayne Smith who is the head of the health care group so he could get on board for this adoption. Rita agreed with this recommendation.

Also, under Goal 5, page 8, Objective L. Rita noted that the Family Support Waiver Coalition is also part of the work of the Governor’s Commission. The Governor’s Commission believes that family and caregiving support are paramount in working with individuals with disabilities and our aging community. One way to address family support is through the implementation of a family support waiver. However, at this point, it would just be dedicated to DDDS. Eventually it will be an objective for the Commission to look at family support across the board. Brian provided a News Journal article which addresses depression in caregivers for the aging population and persons with disabilities.

In regards to the DPC Task Force, the Governor's Commission report has a complement goal - Goal 9, Page 15, Objective B - Improve access to mental health services for both acute care (hospitalization) and long-term care in the community. Part of the role of the Task Force is fact finding and community options. Rita asked that in addition to reading the DPC News Journal articles, please access the Task Force's website so that you get all the facts—not just some of the facts. The timeline for a final report of December 15 is very aggressive to have solid recommendations to the Governor; however, Rita hopes that there will be a path forward established by that time. The Task Force meetings are webcast; the Committee meetings are not.

Jamie added that until the Communications Specialist is hired to work with the Commission work; please contact Jamie or Tracy Mann.

Kyle added the Money Follows the Person project is moving forward and Joyce Pinkett is leading the group on the Operational Protocol. Kyle's concern is that the Project Director position has not been hired, or even posted. The process to hire this person does not appear to be in place. This position was approved July 1st. Maybe this could be addressed at the DHSS budget hearing. Kyle will provide Brian with any relevant material and it will then be determined if the budget hearing is the appropriate venue.

### **Disabilities Law Program**

The Disabilities Law Program priorities for FY 08 were provided and DLP is soliciting comments by October 18. Brian would like to get an endorsement from the Council. Per Kyle, since there is not a quorum, Kyle will send out to people who are not in attendance and once he gets approval will write a letter. Subject to voting via e-mail, the motion was seconded and approved to support the Disabilities Law Program FY 08 priorities. Randal Wimberley abstained.

### **Legislative/Policy FY '08 Priorities**

A draft of the 2008 Legislative priorities was provided. This was the result of a collaborative meeting held with representatives from DDC; SCPD; GACEC; DVR; CDS and DelARF. Kyle is asking for input and guidance of which ones would be priorities.

- Kyle thought the Family Support Waiver would be a priority and supported by SCPD.
- Amber Alert—this is a priority of the DDC and Pat Maichle said that this currently covers people who have been abducted whether or not they have a disability. Pat has shared a copy with Brian and Kyle of the Colorado Amber Alert which has been expanded to searches for people with significant disabilities who may or may not have been abducted, but may be missing. It includes children and adults with significant disabilities. Tony asked if that required legislation—Pat replied “yes”. Kyle asked if Delaware was going to mirror

Colorado's Amber Alert. Pat replied that a group of interested parties would sit down and figure out if this fits in our Code, etc.

- Funding for Community Based Services—Tony stated that the JFC approved \$3.5 million dollars three years ago. Last year the providers did not an increase or a very small one. DDDS hired a consultant to look at the ICAP and has concluded to make ICAP equal to today's cost, it would take \$7.6 million dollars—which is way too much to request from the JFC. Tony believes the providers want a 3.3 % increase. Tony said that he feels that the provider should get some decent money in order to pay a decent wage to their employees. The state of Maryland approved a law that stipulates that all state contractors must pay their employees \$11.37 an hour, specifically stating that they must be paid a living wage. If decent wages are not paid, we will not have a decent number in the profession. Jamie said that the legislation in Maryland is good, however it excludes non-profit. The higher hourly wage applies in the city area like Baltimore; the rural area pays between \$8-9 an hour. Delaware has a lot of non-profits and rural areas. Jamie said that the ICAP is good for people with mental disabilities and it looks at what you can do as opposed to delegating tasks. Tony feels that we should support an increase for the providers. Brian added that you want to tell the JFC what your top priorities are. Pat added that they made sure that the priorities match the MFP plan. Rita said some priorities may shift this year because of the Delaware Psychiatric Center happenings; however; we have a right to bring up issues that are most paramount. Kyle noted that the Family Support Waiver has been an important issue in the past. SCPD did not agree on either the Waiver or Provider issue, so it is still on the table for discussion.
- It was noted we will still have to advocate for MFP funding.
- Auto Insurance for Persons with Disabilities—if you have someone with a disability that owns their own vehicle and is not the primary driver, they cannot get their own insurance. Kyle e-mailed Matt Denn for his guidance to see if this is a regulation or a law.
- Medicaid Buy-In – It was discussed that we still need to advocate for continued funding.
- Bike Helmet Bill
- Ombudsman for Community-Based Services and Community Based “Bill of Rights”—Jamie is working on these issues.
- Statewide Architectural Accessibility Code—Laura Waterland from the Disabilities Law Program is trying to find time to give us a draft bill for discussion
- Insurance Coverage for Hearing Aids and Cochlear Implants—Linda Heller is working on some legislation
- PM 46—is an area of interest.
- HR 1279 (DSP's) (Federal Legislation)
- Community Choice Act SB 799 and HR 1621 – this would amend the Social Security Act to make home and community-based services the entitlement instead of nursing facilities

- ADA Restoration Act—looking to take the original intent of the ADA the definition of disability and put it back due to narrowing of the definition over the years

Kyle said that the Medicaid Rehabilitation Option bullet needs to have more explanation. Harry Hill would be able to address this at the Nov 15 luncheon.

Jamie added that the three priorities that she would like are the LTC Eligibility—those who qualify for Medicaid, but still need LTC; Medicaid Modernization Act—to get support you have to be homebound; Medicare Competitive Bidding—when a person needs a piece of assistive technology—i.e. a power wheelchair, bids have to be sent out to the whole country which not only effects where you buy it but also the service needed. This makes the vendors not accept Medicare. Jamie added that she would like a Department of Disabilities.

Priorities were not finalized but it was agreed that SCPD Kyle should be advocating for the aforementioned issues.

### **PAS Update Report**

So the Council can be kept up to date, Tom Barlow has provided us a chart on Personal Attendant Services. Kyle added that Tom came up with this chart after Kyle attended a meeting of DelARF Physical Disabilities Commission. Tom gave an overview of the chart.

During the summer, an appropriation of \$400,000 came from the Tobacco Fund Money and DSAAPD agreed to allow relatives to work as paid attendants effective December 1. Approximately, 1/4 of the persons are using relatives at this point. This has made a difference of some people coming off of the waiting list. Kyle asked that a Total Participants Column be added to the chart. Tom added that attendants are hired by the individual directly.

Under the Expansion Status on the chart, as of the 6/30/07 waiting list, 27 people were listed as high priority. Also, 80 interested possible attendants were interested from two job fairs. At this time, DSAAPD is being charged \$13.75 per unit and the overall cost is \$16.88 (with \$9.75 attendant hourly pay is included) under the current contract.

### **Committee Reports**

Due to time constraints, the committee reports were deferred until the next meeting.

### **Announcements**

The Brian Injury Association of Delaware (BIAD) has a part-time 20 hour a week Director position open. Also the BIAD conference is being held at the Dover Sheraton on October 24.



Kyle will move forward with the SCPD brochure; however, he will talk with Daniese regarding the pictures, etc.

## **ADJOURNMENT**

The meeting was adjourned at 4:15 PM.

Respectfully submitted,

Kyle Hodges  
SCPD Administrator

SCPD/minoct07